

AMENDED IN SENATE JUNE 11, 2007

AMENDED IN SENATE APRIL 9, 2007

AMENDED IN SENATE MARCH 12, 2007

## SENATE BILL

**No. 198**

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### **Introduced by Senator Battin**

(Coauthors: Assembly Members Benoit and Garcia)

February 7, 2007

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An act to amend Section 11139.3 of the Government Code, relating to homeless youth, and declaring the urgency thereof, to take effect immediately.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 198, as amended, Battin. Age discrimination: homeless youth.

Existing law allows the development and operation of emergency, transitional, and permanent housing facilities that specifically assist homeless youth by exempting these facilities from state and local laws prohibiting age discrimination in housing. Existing law defines a homeless youth as being either an emancipated minor who is homeless or at risk of becoming homeless, or someone between 18 and 24 years of age, who is also homeless or at risk of becoming homeless, is no longer eligible for foster care based on age, or has run away from home.

This bill would expand the definition of a homeless youth to include anyone 24 years of age and younger who is also homeless or at risk of becoming homeless, is no longer eligible for foster care based on age, or has run away from home. ~~This bill would prohibit a homeless youth who is less than 18 years of age from being placed in a sleeping area within any housing for homeless youth that includes homeless youth who are 18 years of age or older, unless each homeless youth that is 18~~

years of age or older is a relative, as defined, of the homeless youth that is less than 18 years of age. *The bill would also state the intent of the Legislature that housing made available to homeless unemancipated minors shall be consistent with applicable regulations.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 11139.3 of the Government Code is amended to read:

11139.3. (a) It is the policy of this state and the purpose of this section to facilitate and support the development and operation of housing for homeless youth.

(b) The provision of housing for homeless youth is hereby authorized and shall not be considered unlawful age discrimination, notwithstanding any other provision of law, including, but not limited to, Sections 51, 51.2, and 51.10 of the Civil Code, Sections 11135, 12920, and 12955 of this code, Chapter 11.5 (commencing with Section 50800) of Part 2 of Division 31 of the Health and Safety Code, and local housing or age discrimination ordinances.

(c) This section shall not be construed to permit discrimination against families with children.

(d) This section shall occupy the field of regulation of housing for homeless youth by any local public entity, including, but not limited to, a city, county, and city and county.

~~(e) (1) A homeless youth who is less than 18 years of age shall not be placed in housing for homeless youth that includes any homeless youth who is 18 years of age or older, unless each homeless youth that is 18 years of age or older is a relative of the homeless youth that is less than 18 years of age. This prohibition shall only apply to sleeping areas of housing for homeless youth.~~

~~(2) For the purposes of this subdivision, a "relative" is a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, or first cousin.~~

~~(f)~~

(e) For purposes of this section, the following definitions shall apply:

1 (1) “At risk of becoming homeless” means facing eviction or  
2 termination of one’s current housing situation.

3 (2) “Homeless youth” means either of the following:

4 (A) A person who is not older than 24 years of age, and meets  
5 one of the following conditions:

6 (i) Is homeless or at risk of becoming homeless.

7 (ii) Is no longer eligible for foster care on the basis of age.

8 (iii) Has run away from home.

9 (B) A person who is less than 18 years of age who is  
10 emancipated pursuant to Part 6 (commencing with Section 7000)  
11 of Division 1 of the Family Code and who is homeless or at risk  
12 of becoming homeless.

13 (3) “Housing for homeless youth” means emergency,  
14 transitional, or permanent housing tied to supportive services that  
15 assist homeless youth in stabilizing their lives and developing the  
16 skills and resources they need to make a successful transition to  
17 independent, self-sufficient adulthood.

18 *SEC. 2. It is the intent of the Legislature that housing made*  
19 *available for homeless unemancipated minors under this act be*  
20 *consistent with the applicable regulations governing the housing,*  
21 *health, and safety of homeless youth adopted by the Community*  
22 *Care Licensing Division of the State Department of Social Services.*

23 ~~SEC. 2.~~

24 *SEC. 3.* This act is an urgency statute necessary for the  
25 immediate preservation of the public peace, health, or safety within  
26 the meaning of Article IV of the Constitution and shall go into  
27 immediate effect. The facts constituting the necessity are:

28 In order to provide basic shelter and services to homeless  
29 unemancipated minors and end their hardship as soon as possible,  
30 it is necessary for this act to take effect immediately.